

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

June 8, 2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR. 04-00344HG
CASE NAME: U.S.A. vs. (02) BRYCE D. FEARY
ATTYS FOR PLA: Clare E. Connors
ATTYS FOR DEFT: Emmanuel G. Guerrero
U.S.P.O.: Carter A. Lee

JUDGE:	Helen Gillmor	REPORTER:	Sharon Ross
DATE:	June 8, 2006	TIME:	2:15 - 2:45

COURT ACTION: ORDER TO SHOW CAUSE WHY SUPERVISED RELEASE
SHOULD NOT BE REVOKED -

The defendant is present in custody.

The defendant admitted to Violation Nos. 1, 2, 3 & 4.

The Court finds that this is a Grade C violation, Criminal History Category I.

Allocution by the defendant

The supervised release is revoked.

ADJUDGED: Impr of 6 mos.

SUPERVISED RELEASE: 30 mos upon the following conditions:

1. That the defendant shall abide by the standard conditions of supervision.
2. That the defendant not commit any crimes, federal, state, or local (mandatory condition).
3. That the defendant not possess illegal controlled substances (mandatory condition)

4. That the defendant shall cooperate in the collection of DNA as directed by the probation officer.
5. That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the terms of supervision (mandatory condition).
6. That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. That the defendant shall participate in a substance abuse treatment program, which may include drug testing at the discretion and direction of the Probation Office.
8. That the defendant is prohibited from the possession and use of alcohol.
9. That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.
10. That the defendant serve up to 9 months of community confinement, in a community corrections center such as Mahoney Hale, or be placed in the 6-month inpatient substance abuse program at the Salvation Army Adult Rehabilitation Center until clinically discharged, followed by 3 months of community confinement, as arranged by and at the discretion and direction of the Probation

Office. While serving a term of community confinement, the defendant shall participate in a full-time drug treatment program, or be employed full-time while participating in a part-time drug treatment program, or attend school full-time while participating in a part-time drug treatment program, at the discretion and direction of the Probation Office

A Status Conference is set for September 10, 2007 @ 2:00 p.m.

Advised of rights to appeal the sentence, etc.

Submitted by: David H. Hisashima, Courtroom Manager